

**Exhibit A**

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Proposed Claim Set for Discussion Purposes Only

1-6. (Canceled)

7. (Currently amended) A method for testing for otitis media, comprising the steps of:

positioning an ultrasound probe at a location spaced away from a tympanic membrane of a human patient[[,]];

using the ultrasound probe to detect the presence and measure the viscosity of a middle ear effusion in the human patient while the ultrasound probe is positioned at the location spaced away from the tympanic membrane, wherein the viscosity of the middle ear effusion is measured based on an analysis of a first pulse echo reflected from the tympanic membrane and a second pulse echo reflected from a middle ear cavity of the human patient; and comparing the measured viscosity of the middle ear effusion in the human patient with at least three predetermined values for effusion viscosity, wherein such comparison provides information regarding the likelihood of presence of bacterial infection in the middle ear effusion in the human patient.

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8. (Previously presented) The method for testing of claim 7 wherein each of said predetermined values is based on a plurality of predetermined ranges of fluid viscosity measurements.

9-11. (Canceled)

12. (Currently amended) A method for determining if a human patient is a candidate for receiving antibiotic treatment, wherein the presence of a middle ear effusion in the patient is detected by an ultrasound probe that is positioned at a location spaced away from a tympanic membrane of the human patient and the viscosity of the middle ear effusion is determined based on an analysis of a first pulse echo reflected from the tympanic membrane and a second pulse echo reflected from a middle ear cavity of the

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human patient, and compared comparing the determined viscosity of the middle ear effusion with at least one predetermined fluid viscosity value.

13. (Canceled)

14. (Currently amended) An apparatus for determining ~~ear fluid viscosity~~ the viscosity of a fluid in a middle ear cavity, the apparatus including:

a plurality of transducers[[,]] that are each adapted to transceive an ultrasonic signal to interact with a fluid-containing portion of the ear a tympanic membrane and the middle ear cavity; and

means for using pulse echo amplitudes to determine whether the fluid in the middle ear cavity is serous, purulent or mucoid while the plurality of transducers are positioned at a location spaced away from [[a]] the tympanic membrane, wherein the means for using pulse echo amplitudes is configured to determine the viscosity of the fluid in the middle ear cavity based on an analysis of a first pulse echo reflected from the tympanic membrane and a second pulse echo reflected from the middle ear cavity.

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15. (Previously presented) The apparatus of claim 14, wherein the plurality of transducers are arranged in a curved array.

16. (Currently amended) A method of determining the viscosity of a fluid in a middle ear fluid viscosity cavity, the method including:

positioning a plurality of transducers at a location spaced away from a tympanic membrane[[,]];

operating a plurality of transducers while the plurality of transducers are positioned at the location spaced away from the tympanic membrane, ~~such that each transducer transceives an ultrasonic signal that interacts with a portion of an ear that contains fluid~~ wherein the viscosity of the fluid in the middle ear cavity is measured based on an analysis of a first pulse echo reflected from the tympanic membrane and a second pulse echo reflected from the middle ear cavity; and

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using amplitudes from the first pulse echo and the second pulse echo amplitudes to determine whether the fluid in the middle ear cavity is serous, purulent or mucoid.

17. (Previously presented) The method of claim 16, wherein the plurality of transducers are operated sequentially.

18. (Previously presented) The method of claim 16, wherein the plurality of transducers are operated simultaneously.

19. (Currently amended) The method of claim 7, wherein the ultrasonic probe contains a plurality of transducers that are each adapted to ~~both~~ transceive ~~and receive~~ an ultrasonic signal.

20. (Currently amended) The method of claim 12, wherein the ultrasonic probe contains a plurality of transducers that are each adapted to ~~both~~ transceive ~~and receive~~ an ultrasonic signal.

21. (Canceled)

22. (Currently amended) The method of claim 16, wherein the plurality of transducers ~~is~~ are each adapted to ~~both~~ transceive ~~and receive~~ an ultrasonic signal.

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